

**IN THE
UNITED STATES DISTRICT COURT
FOR THE
WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	Criminal Case No. 4:20-cr-00016
)	
KUNTA KINTE DANIELS)	

STATEMENT OF FACTS

This Statement of Facts briefly summarizes the facts and circumstances surrounding the criminal conduct at issue in this case. It does not contain all of the information obtained during the investigation and applicable to an accurate Presentence Investigation Report and Sentencing Guidelines Calculation. The Statement of Facts is not protected by proffer agreement or any other agreement, and shall be wholly admissible at trial notwithstanding any rules or statutes to the contrary, including but not limited to, Federal Rules of Evidence 408, 410 and Federal Rule of Criminal Procedure 11.

Starting not later than November, 2019 and continuing until March 10, 2020, Kunta DANIELS, and others, maintained an alternate residence at 130 Colonial Court apartment number 45 in Danville, Virginia, within the Western District of Virginia. The purpose of this alternate residence was to store narcotics intended for distribution in a location apart from DANIELS' actual residence.

DANIELS resided at 130 Colonial Court apartment number 42—located down an exterior staircase from apartment 45, a separate apartment in the same building—but also paid the rent for apartment number 45. DANIELS also possessed two keys that each opened both apartments 42 and 45. Additionally, Colonial Court employees and law enforcement observed DANIELS entering and exiting apartment 45. Moreover, the tenant of record for apartment 45 noted on his rental application that he would not be moving into the apartment and neither employees nor law enforcement recalled seeing the tenant of record in 2020.

Pursuant to a search warrant, on March 10, 2020, law enforcement searched 130 Colonial Court apartment 45. In the two days prior to the search warrant, law enforcement witnessed DANIELS enter apartment 45 at least four times. He appeared to use a key at least once. DANIELS, along with another member of his family, was the last person inside apartment 45 prior to the execution of the search warrant.

In the search of 130 Colonial Court apartment 45, law enforcement found, *inter alia*:

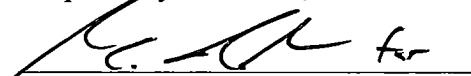
1. Food saver machine and food saver bags;
2. Black digital scale with residue;
3. Black digital scale with white residue;
4. Black digital scale with white residue;
5. Silver and black digital scale with white residue;
6. Press;
7. Currency counting machine;
8. 394 grams of heroin;
9. .876 grams of heroin;
10. 41.41 grams of heroin;
11. 3.76 grams of heroin;
12. 490.99 grams of phenacetin (an additive to cocaine);
13. 325 grams of cocaine hydrochloride;
14. 56.71 grams of heroin; and
15. Approximately \$10,000.

The above referenced substances were sent to a laboratory and the weight and substances listed above were determined by the laboratory. Heroin is a Schedule I substance. Cocaine hydrochloride is a Schedule II substance.

The parties stipulate that had this matter gone to trial, the United States would have presented evidence to support each of these facts. The facts described above demonstrate that on or around March 10, 2020 Kunta DANIELS did knowingly and intentionally possess with intent distribute a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance; and 100 grams or more of heroin, a Schedule I controlled substance.

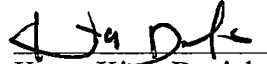
DANIELS acknowledges that the purpose of the foregoing statement of facts is to provide an independent factual basis for his guilty plea.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Barish Swartz', is written over a horizontal line.

Rachel Barish Swartz
Assistant United States Attorney

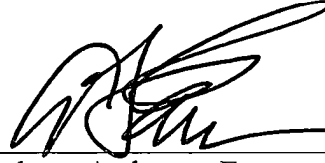
I have reviewed the above Statement of Facts with my attorney and I agree that had this matter gone to trial, the United States would have presented evidence to support each of these facts.



Kunta Kinte Daniels
Defendant

I am Kunta Kinte Daniels' attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.

Date: 1/5/2022



Anthony Anderson, Esq.
Counsel for Defendant